Statement of C. William Fischer

Vice President of the University of Colorado

Formerly Assistant Secretary for Planning and Budget

U.S. Department of Education

and

Charter Member of the S.E.S.

on

The Senior Executive Service

before the

Subcommittee on Civil Service

Congresswoman, Patricia Schroeder, Chair

Committee On Post Office and Civil Service

U.S. House of Representatives

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Madam Chairwoman and Members of the Subcommittee:

I thank you for the invitation to provide testimony to your Subcommittee in connection with your five-year review of the Senior Executive Service authorized by the Civil Service Reform Act of 1978.

I have read all of the testimony you have taken since your first hearing last November and have tried to match that collective wisdom against my own 25 years of continuous service from a grade 5 career employee through a Presidentially-appointed political official.

Let me begin by saying that looking back on those 25 years, I totally agree with President Kennedy's remarks to college students in the 1962 Summer Intern Program when he said, "It is my judgment that there is no career that could possibly be open to you in the 1960's that will offer you as much satisfaction, as much stimulus, as little compensation perhaps financially, as being a servant of the United States Government." It worked out just that way for me in all dimensions—and, knowing what I do now, I would do it again. With that background, it should be as shocking to all Americans and this Committee as it was to me to learn that 40% of all the charter members of the S.E.S. departed in the first four years of its life. Wouldn't it be wonderful to hear a President sound President Kennedy's call to public service today—and then act as if he meant it?

Your hearings and ultimate action on this subject are crucial to sound stewardship of perhaps the most essential ingredient of good government—its workers. The way in which the Federal government attracts, challenges, trains, directs, and rewards its senior managers, both career and political, is crucial to all citizens because the quality of the people who serve them will either further or frustrate their goals for themselves and their neighbors.

We should not think about the decisions you face regarding the S.E.S. as affecting only the executive managers in the Federal government. The ultimate impact of your decisions will set a tone and send a message which will be felt by everyone from the highest level elected political leader to the lowest level civil servant and everyone else whose life is touched by the institution of government.

General Conclusions

My first and perhaps most important recommendation to this Subcommittee is that to make President Kennedy's endorsement true for the future you should look at the whole system of compensation for government service. Do not evaluate the S.E.S. in a vacuum. The S.E.S. is very important, but it is simply one structural element in the whole fabric of compensation for servants of the United States Government. Moreover, in looking at compensation itself, both current and retired pay must be analyzed together.

My second recommendation is that S.E.S. be retained and shored up at its weak points—both in law and in practice.

The Contextual Setting for Evaluation

In government as in private life, one learns early that fair judgments of performance and effectiveness must be made with full attention to the total structure of political and institutional constraints, practical possibilities, and the environmental circumstances which surround the performer. So it must be in judging the Senior Executive Service.

The actual circumstances have not been conducive to howling success.

The essential purpose and promise of the S.E.S. initiative was to open up the top levels of the Federal executive management ranks to:

a)   greater flexibility and risks in evaluation, assignment, and bonus and rank rewards or their denial;

in return for

b)   positive incentives of improved regular compensation, substantial bonuses, dismissal for poor performance, and executive development through training and managed mobility assignments.

All of these factors were intended to be more comparable with the private sector.

The long stream of excellent expert witnesses, that have testified before this Subcommittee, have indicated that the flexibility and risks have been delivered with fairness and probity for the most part, and with substantial short-run benefits to management efficiency in agencies and departments to the extent that the S.E.S. can be singled out as a causal factor.

However, the positive incentives have been greatly restricted or denied by subsequent actions of the Executive Branch and the Congress. The short end of the bargain has included:

o   cutting the bonus availability from the authorized and promised 50% to 20% of S.E.S. members; limiting the remaining bonuses for the Distinguished Executive Award to the pay of Executive Level I; and, over-awarding the

remaining bonuses to predominantly and visably placed S.E.S. members (the bonus level has only recently been restored from 20% to 35% in the 1984 Appropriations bill);

o   <u>capping and compressing the regular pay</u> of the S.E.S. members and their subordinates during the first years of implementation and even after the Fazio amendment;

I know that the cap and the pay compression are related to Congressional pay limitations. These, too, should be adjusted to be comparable with the private sector, so that neither Congress nor the executive branch are the exclusive domain of the rich or the reckless;

o   <u>substantially cutting back many domestic programs</u> and related levels of employment which created a defensive and anxiety-ridden atmosphere for S.E.S. members;

o   <u>failing to provide statutory reduction in force (RIF) fallback safeguards</u> for all but the poor performers and failing to insist on fair agency RIF procedures in an era of retrenchment, which in itself is a legitimate result of the current Administration's perceived mandate;

o   <u>predominant emphasis</u> on <u>current</u> performance for compensation and retention of S.E.S. members allowing disregard of prior record by OPM and many agencies and no formal appeal procedure;

o   <u>attacking in demeaning and indiscriminating terms the career government service.</u> Such political rhetoric by the last two Presidents and many Members

of Congress does not attract or retain top talent nor does it evoke high risk performance or excellence from career executives. It is both self-fulfilling and self-defeating.

In fairness, I must note that while this shrill criticism of career government workers is pervasive it is not uniform. For example, both Treasury Secretary Regan and OMB Director Stockman have recently praised expert career executives in public. I suspect others have as well; but that seems to be the exception to what is heard across the country—not the rule.

In any hierarchical organization, it is the tone from the top that counts. It is most interesting that while the last Federal Administration was justly criticized for uncertainty and ambiguity in some areas—on the subject of excellence in public service that administration expended enormous energy and prevailed in having reforms enacted into law which provide the opportunity for more business-like operations in government. The incumbents, on the other hand, are either silent or cynical at best; and, at worst, have undermined that potential.

o   Seriously understaffing and underfunding the Office of the Special Counsel to the Merit System Protection Board and having agency Performance Review Boards chaired by political appointees, who are supervisors of the career board members, denies due process and a meaningful opportunity for review and redress of grievances. It is an invitation to patronage or prejudicial treatment.

o   Failing to provide the authorized sabbaticals so that of 18,000 S.E.S. staff years, only 10 staff years of sabbaticals have been granted in 4-1/2 years.

Before attacking the S.E.S. for not fulfilling its mission, it is well to acknowledge these important impediments to success. In short, with a lot more risk but fewer rewards, the results are predictable.

Historical Models for S.E.S. Reform

My own career began as a new GS-5 in 1957 and progressed through GS-18 in the old pre-reform supergrade structure; an appointive staff officer in the Congress; Charter Member of the Senior Executive Service itself; a politically-appointed executive in two cabinet level departments where I used the S.E.S. flexibility to assign and reward subordinates, and finally, a retired Federal annuitant.

During those years, I worked for six presidents and six agencies. Two of these agencies were in the Executive Office of the President, one in the Congress, one independent agency, and two Cabinet Departments. The assignments included 10 years of daily involvement with the Department of Defense and other national security programs and their military and civilian personnel; nine years working with the Federal domestic health, education, and welfare programs; and five years associated with Federal energy and natural resource agencies. I also had the benefit of two years of service as an enlisted man in the United States Army. These Federal agencies included those as stable and institutionalized as the most respected agencies and committees of the Congress, the old Bureau of the Budget, and the Defense Department. On the other hand, it included nine years in such embattled and endangered species as Sargent Schriver's Office of Economic Opportunity, the Federal Energy Administration, and the Departments of Energy and Education. More recently, I have had three years to reflect on all of this from the more medieval and unruly redoubt of a large state research university.

I reveal all this, at the risk of being regarded as a person who couldn't hold a job, because I want you to know that I speak from the scar tissue and inspiration I have received from first-hand experience across a diversity of Federal agencies under three Republican and three Democratic administrations.

Over almost 25 years and both political parties, I experienced two opposite tendencies or traditions for managing Federal employees. These different tendencies are almost polar in their impact in evoking or eroding excellence in the Federal service. It is instructive that all Federal agencies, including Congressional agencies and committees, are positioned along a continuum between these poles by how they handle their career employees and their political appointees. And, what is more important, their effectiveness and the associated agency reputation and employee morale and performance vary directly, from excellent to marginal. Part of the difference in the two patterns is structural and so illuminates the questions you now face in considering the strengths and weaknesses of the S.E.S. Part of the difference transends the structure and concerns the spirit of the organization; that is, the values by which it manages and motivates its people. Ths analytic framework out of this collective experience might help you evaluate the advantages and problems of the S.E.S.

What I am suggesting here is that we are not discovering new truth, but rather revisiting old wisdom as we examine the experience of the S.E.S. as implemented.

Those agencies and organizations with strong traditions of evoking excellence and loyalty from their employees:

<u>Project</u> the institutionalized expectations, distinctive values, spirit and mission of the organization through:

- Aggressive recruitment at substantial expenditure of resources; and

- Positive public relations programs.

This is especially true of our military organizations.

<u>Invest</u> heavily in their employees through:

- Extensive training, including academies, institutes, cooperative programs with academic institutions, industry sabbaticals, in-service training, academic leave and post-service educational benefits;

- Managed mobility assignments through the various components and levels of the organization;

- Competitive regular pay, perquisites, and substantial incentive bonuses without arbitrary limits;

- Stable, reliable, and adequate retirement programs;

- Concentration of rank-in-person; and

- Liability protection while acting within the scope of duty.

<u>Demand</u> integrity, responsiveness, and excellence from their employees through:

- Insistence on probity and speedy retribution for the "cheaters";

- Heavy exposure, reliance, and dialogue between policy officers and the career support staff through well established traditions and processes for internal debate and decision-making;

- Assuming loyalty and punishing disloyalty;

- Involving the career staff across horizontal and vertical organizational divisions; and

- Withholding monetary and rank rewards for poor or disloyal service.

Acknowledge and give credit regularly and publicly for excellent and dedicated service by individuals and groups—not just at the top.

Are fair in appraising and adjudicating differences through:

- Structured due process in an open environment;

- Supervisor/subordinate dialogue on written performance evaluations;

- Avoiding precipitous and arbitrary actions against employees without adequate notice or time for adjustment; and

- Allowing for fair appeal processes of alleged error in administrative determinations.

The Federal agencies and departments which, while never fully achieving the positive practices, have done the best at this include:

The Department of Defense and the Military Services and Defense Agencies like N.S.A.

The State Department

The Central Intelligence Agency

The Treasury Department—especially the Internal Revenue Service

The Justice Department

The National Institutes of Health

The Public Health Service

N.A.S.A.

The Agriculture Department

The Bureau of the Budget and its successor the Office of Management and Budget

The Social Security Administration

The Bureau of Labor Statistics

The old Atomic Energy Commission and, interestingly, even its counterpart units in the new Department of Energy

The U.S. Coast Guard

The Congressional Committees and Agencies include:

The House Appropriations Committee

The Ways and Means Committee

The Senate Finance Committee

The Joint Economic Committee

The General Accounting Office

The Congressional Research Service

The Congressional Budget Office

These agencies have historically demonstrated that, by consciously working to employ the positive practices outlined above, they have been able to achieve or better approximate excellence in employee performance <u>even without the S.E.S.</u>

Nevertheless, I believe it is clear that the S.E.S. can help these agencies to do even better, and can stimulate and strengthen other Federal agencies which do not employ these practices, if the current deficiencies in the S.E.S. so well identified in previous testimony are corrected.

For the Subcommittee's use, I have prepared and submitted a list of the major current deficiencies in the S.E.S. as I and most of your witnesses see them. The deficiencies are displayed beneath the relevant positive practices which are followed by the agencies historically more successful in recruiting, retaining, and motivating their career staff.

I will be happy to answer any questions you may have of me.

HOW LIBERAL ARE BUREAUCRATS?

Stanley Rothman and S. Robert Lichter

URING THE 1960s AND 1970s the federal government added several new cabinet departments and many more new regulatory agencies. Among the new agencies were some, like the Environmental Protection Agency, Occupational Safety and Health Administration, and Equal Employment Opportunity Commission, that enjoyed wide-ranging discretionary powers over the whole society instead of just one industry or sector. At the same time, a number of sleepy older agencies such as the Federal Trade Commission and Food and Drug Administration were being transformed into aggressive consumer advocates.

Some social critics have asserted that this expansion has led not only to more government but also to different government than before.

Stanley Rothman is Mary Huggins professor of government at Smith College. S. Robert Lichter is assistant professor of government at George Washington University. The data on which this essay is based are from a larger study on American social and political elites, directed by Rothman and Lichter and sponsored by Smith College, the Research Institute on International Change at Columbia University, and George Washington University. The interviews were conducted by Metro Research, a Washington-based survey research firm.

They point out that many of the newer regulatory agencies (and of the "transformed" older ones) take a hostile, adversarial attitude toward those they regulate. The staffers of these agencies—so the critics charge—are drawn from the "new class" of intellectuals and communicators whose political base lies not in traditional interest groups but in academia and the media. Accordingly, the new regulators are said to pursue the ideological agenda of the liberal left. By contrast, old-line regulators are said to be much more friendly with those they regulate—if not actually "captured" by them.

Is this portrait accurate? Are activist bureaucrats among the shock troops of the new liberalism that emerged during the 1960s? To find out, we interviewed 200 top-level administrators in both the established traditional agencies and the newer activist ones. For each agency so defined, we randomly chose names from the Office of Personnel Management's List of Senior Executive Service personnel, after excluding political appointees. Our "traditional agency" sample consisted of 98 administrators from the Departments of Commerce, Agriculture, and the Treasury, and the Bureau of Prisons in the Department of Justice. Our "activist agency" sample consisted of 102

administrators from the Environmental Protection Agency (EPA), the Federal Trade Commission, Action, the Consumer Product Safety Commission, the Equal Employment Opportunity Commission, the Food and Drug Administration (FDA), the Department of Health and Human Services, the Department of Housing and Urban Development, and the Justice Department's Civil Rights Division. The interviews were conducted in 1982, and 85 percent of those contacted completed the questionnaire.

Our findings give scant support to those who see the bureaucracy as hostile to business or other traditional institutions. Senior civil servants as a whole are indeed somewhat more liberal than most Americans. However, they are considerably less disaffected from traditional American values than their conservative critics contend. Moreover, while key bureaucrats in

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the activist agencies are somewhat more liberal than those in the traditional agencies, the differences are not large enough to explain the "adversarial" behavior of which businessmen complain.

Bureaucrats' Opinions—Liberal ...

Looking first at social and personal backgrounds (Table 1), top-level bureaucrats are overwhelmingly white, male, well-educated, and well off. Those in activist agencies are rather more likely to come from high status families. Five out of ten of them report that their fathers were businessmen or professionals, as against four out of ten of the traditional bureaucrats. Activist bureaucrats are somewhat more likely than traditionals to have been raised as Jews, and slightly more likely to regard themselves as currently non-religious (36 percent as against 28 percent). In contrast, over 90 percent of the general public describe themselves as having some religious affiliation.

Furthermore, both groups are far more likely to classify themselves as political lib-

Table 1
SOCIAL AND PERSONAL BACKGROUNDS
(percent)

Background	Traditional	Activist	Combined
White	95	92	94
Male	96	90	93
From metropolitan area	40	59	50
Father a Democrat	60	55	55
Father a professional	20	28	24
Father a businessman	21	23	22
Parents above average income	31	35	33
Postgraduate degree	74	80	77
Family income $50,000+	99	100	100
Political liberal	48	63	56
Raised in Jewish religion	13	26	20
Current religion "none"	28	36	32

Table 2
PRESIDENTIAL VOTING RECORD, 1968–80
(percent voting for)*

	Traditional	Activist	Combined
1968			
Nixon	33	23	28
Humphrey	67	76	72
1972			
Nixon	51	35	42
McGovern	47	65	57
1976			
Ford	35	24	28
Carter	65	76	71
1980			
Reagan	48	27	36
Carter	34	55	45
Anderson	19	18	18

*Percentages may not add to 100 because of rounding or votes for minor party candidates.

erals than is the general public, though activist bureaucrats do so to a greater degree than traditional bureaucrats (63 percent compared with 48 percent). Only 21 percent of the public as a whole places itself politically left of center.

The liberal self-identification of bureaucrats, especially of the activists, translates into a strong tendency to vote Democratic (Table 2). However, while traditional bureaucrats favor the Democrats more than the average voter does, many of them are quite capable of crossing over to the Republicans. They supported Humphrey in 1968 and Carter in 1976 by roughly two-to-one margins, but they gave pluralities to Nixon and Reagan in 1972 and 1980 respectively. Activists show no such inconsistency. In the 1972 Nixon landslide, nearly two out of three supported McGovern. And even Jimmy Carter, who was highly unpopular in "official" Washington by 1980, won their support by a margin of two-to-one against Reagan. By contrast, the general public gave less than 40 percent of its vote to McGovern and just

40 percent to Carter, compared with 51 percent to Reagan.

...But Not Radical

Whatever their party preferences, however, activist and traditional bureaucrats differ only moderately in their economic, social, and political views. As Table 3 indicates, both groups are liberal reformist, and both are mildly alienated from some aspects of the system. Roughly half of both groups believe that government should substantially reduce the income gap between the rich and the poor, and nearly as many say that government is responsible for guaranteeing a good standard of living for all. On the other hand, more than half agree that less government regulation of business would be good, and about nine out of ten believe that people with more ability should earn more. Activists support deregulation of business to a lesser degree than traditionals (57 percent versus 66 percent), but only one of twenty activists believes that government should take over large corporations.

We asked a series of questions designed to measure social and political alienation and got similar results. Eight out of ten members of both groups believe that private enterprise is fair to workers, and fewer than one in seven thinks it would be a good idea for America to move toward socialism. Fewer than 30 percent think that American society alienates people, and a very substantial majority argue that hard work will lead to financial security, although activists are slightly less optimistic on this point than traditionals.

On almost all these questions the activist bureaucrats' views are considerably more supportive of American society than are those of leading journalists, public interest group activists, or the Hollywood elite (TV producers, writers, and directors).* For example, only three out of ten public interest group activists believe that private enterprise is fair to workers, half think that America should move toward socialism, only 18 percent are confident that hard work leads to financial security, and almost three-quarters argue that American society alienates people.

*We cover these groups' views more fully in *Public Opinion*, October/November 1981, December/January 1983 (co-author, Linda Lichter), and April/May 1983.

On defense issues bureaucrats are relatively dovish. Although majorities of both groups accept the notion that the CIA might sometimes need to undermine hostile governments, neither group would particularly welcome a more forceful policy toward the U.S.S.R., and neither believes in attempts to achieve military superiority. Except on CIA questions, activists are more dovish than tradi-

Table 3
ATTITUDES ON SELECTED ISSUES
(percent agreeing)

	Traditional	Activist	Combined
Economics			
Government should substantially redistribute income	49	55	52
Government should guarantee jobs	33	33	33
Government should take over big corporations	3	5	4
Government should guarantee a good standard of living	41	46	43
Less regulation of business is good for U.S.	66	57	61
People with more ability should earn more	89	92	90
Social and Political Alienation			
U.S. institutions need complete overhaul	25	16	20
Structure of U.S. society causes alienation	29	26	27
U.S. legal system favors wealthy	71	80	76
In America hard work leads to financial security	72	63	67
Private enterprise is fair to workers	84	80	82
U.S. should move toward socialism	14	14	14
Foreign Policy			
We should be more forceful with the U.S.S.R.	34	27	31
CIA overthrows are sometimes necessary	57	63	60
Goal of U.S. foreign policy has been to protect business	37	49	43
U.S. military should be the strongest in the world regardless of cost	31	19	25
Disadvantaged Groups			
Women should get preference in hiring	28	40	34
Blacks should get preference in hiring	35	53	44
Blacks are denied education to advance	45	55	50
Blacks lack motivation to advance	17	13	15
Black gains come at white expense	8	6	7
Poor people are victims of circumstance	48	61	55
Sex and Morality			
Woman has right to decide on abortion	80	82	81
Homosexuals should not teach in schools	42	25	34
Homosexuality is wrong	54	40	47
Adultery is wrong	69	65	67
Energy and Environment			
Environmental problems are serious	68	76	72
We should halt nuclear energy development	5	2	3
Nuclear plants are safe	58	46	52

tionals and also more likely to believe that U.S. foreign policy is designed mainly to protect American business.

We found the same pattern of responses on three sets of questions dealing with disadvantaged groups, the new morality of the 1960s, and energy and the environment. Again, bureaucrats are somewhat more liberal than the population as a whole and activist bureaucrats are more liberal than the traditionals. However, neither group is as liberal as the media, Hollywood, and public interest group elites.

Twenty-eight percent of traditional bureaucrats and 40 percent of activist bureaucrats would give women preference in hiring, and 35 and 53 percent respectively would do the same for blacks. Over half of the traditional bureaucrats and four out of ten activists believe that homosexuality is wrong, and close to seven out of ten in both groups believe that adultery is wrong. Thus, while bureaucrats are more liberal and cosmopolitan in these areas than the general public, 85 percent of whom believe that adultery is wrong, they are rather more conservative than the media, Hollywood, and public interest group elites. Less than half the media and Hollywood elites and only 55 percent of the public interest group elite belive that adultery is wrong.

Finally, two-thirds of the traditional bureaucrats and three-quarters of the bureaucratic activists agree that our environmental problems are serious. However, this does not translate into opposition to nuclear energy: only one in twenty traditional bureaucrats and one in fifty activist bureaucrats would halt nuclear development, compared to somewhat more than half of the general public and almost 70 percent of public interest group leaders.

We also presented key administrators with the following list of goals for America to pursue in the next decade (the same list we have used in studying other leadership groups):
● Maintaining a high rate of economic growth.
● Making sure that this country has strong defense forces.
● Giving people more say in how things get decided at work and in their community.
● Progressing toward a less impersonal, more humane society.

Table 4
GOALS FOR AMERICAN SOCIETY
(percent)

Goals	Traditional Most important	Traditional Least important	Activist Most important	Activist Least important
Strong defense	9	15	11	14
Economic growth	54	6	54	11
Fight crime	2	9	4	7
Humane society	19	13	19	13
Ideas, not money	9	31	6	40
Community participation	7	22	5	16
Totals				
Instrumental	65	30	69	32
Expressive	35	66*	31	69b

*Adds to less than 100 because of 3 percent nonresponse and rounding
bAdds to more than 100 because of rounding

● Fighting against crime.
● Progressing toward a society where ideas are more important than money.

Political scientist Ronald Inglehart, who has offered these same choices to subjects in America and Europe, classifies concern for economic growth, national defense, and crime as traditional "instrumental" values, and concern for a humane society, participation, and placing ideas above money as "expressive" (or "post-bourgeois") values that are gaining strength among new elite groups in industrial societies. In his research, he found that expressive values are held by only a small (but growing) minority of the general population. Our own research indicates that public interest group and Hollywood elites prefer expressive values by substantial majorities, whereas businessmen prefer instrumental values by about two to one. It is not surprising, in light of their other responses, that top-level bureaucrats also choose instrumental over expressive values by two to one or more. Indeed, activist bureaucrats are somewhat more likely to do so than are traditionals.

Thatcher Fans and Times Readers

To supplement the above data, we used three other measures to tap bureaucrats' perceptions of, and agendas for, American society. First, we asked administrators to indicate, using a seven-point scale, how much influence they thought that each of ten leadership groups actually wields over American life. We then asked them how much influence they wanted

each group to have. As Table 5 shows, traditionals and activists share roughly the same perceptions and preferences.

In general their rankings follow the liberal agenda. Both groups of bureaucrats think that business, the media, government agencies, unions, and the military dominate American society and that consumer groups, black leaders, intellectuals, and feminists have little influence. Both would like to see intellectuals and consumer groups near the top of the influence ladder and the military on the bottom, along with religious leaders. Perhaps most striking is their view of intellectuals. They would raise this group, which they see as nearly devoid of influence today, to the very pinnacle of power.

Such sentiments notwithstanding, however, both groups of bureaucrats would reduce the power of the media far more than they would reduce that of business, and both believe that business should remain influential in American society. This last view sharply differentiates bureaucrats from the media and public interest group elites, both of whom would place business much lower on their preferred influence list.

We then asked administrators to assess some highly visible individuals and groups in the current political environment. Both traditional and activist bureaucrats, as Table 6 shows, give their highest ratings to John Kenneth Galbraith. But Margaret Thatcher is a surprising second for traditional bureaucrats and a close third for activists. She receives a higher rating among traditionals than either Ralph Nader or Edward Kennedy, and falls only slightly behind Nader among activists.

While traditionals hold much more favorable views of Ronald Reagan than do activists, neither group was that much out of line with the views of the general public in 1982 when we conducted our interviews. Just as significantly, Fidel Castro is at the bottom of the list for both groups, with the Sandinistas ranking among the bottom three. Once again, it seems quite clear that top-level bureaucrats are domestic reformers—with, however, some surprising conservative leanings—and that, unlike many among the public interest group elite, they are not particularly sympathetic to leftist revolutionary movements elsewhere.

Finally, we asked top-level administrators to rank the reliability of thirteen media outlets.

Table 5
RANKINGS OF INFLUENCE OF LEADERSHIP GROUPS

Traditional		Activist	
Perceived Influence			
Media	5.9	Business	5.9
Business	5.8	Media	5.8
Government agencies	4.5	Government agencies	4.5
Labor unions	4.5	Labor unions	4.2
Military	4.2	Military	4.2
Consumer groups	3.7	Consumer groups	3.5
Religious leaders	3.6	Religious leaders	3.5
Black leaders	3.5	Black leaders	3.3
Intellectuals	3.3	Feminists	3.0
Feminists	3.0	Intellectuals	2.0
Preferred Influence			
Intellectuals	5.0	Intellectuals	4.9
Business	4.8	Consumer groups	4.7
Consumer groups	4.7	Business	4.6
Government agencies	4.0	Government agencies	4.2
Black leaders	4.0	Black leaders	4.1
Labor unions	3.7	Media	3.9
Media	3.7	Labor unions	3.8
Religious leaders	3.6	Feminists	3.7
Feminists	3.5	Religious leaders	3.4
Military	3.0	Military	2.9

Note: Rankings are group mean scores on a scale from one (low influence) to seven (high influence).

Table 6
APPROVAL OF PUBLIC FIGURES AND GROUPS
(percent approving)

	Traditional	Activist	Combined
J. K. Galbraith	79	81	80
Margaret Thatcher	76	76	76
Ralph Nader	57	80	69
Edward Kennedy	63	68	66
Jeane Kirkpatrick	64	49	56
Andrew Young	64	61	63
Gloria Steinem	56	59	58
Milton Friedman	57	45	51
Ronald Reagan	48	34	41
Sandinistas	20	20	20
Moral Majority	13	4	9
Fidel Castro	6	6	6

Table 7
RELIABILITY OF INFORMATION SOURCES
(percent rating reliable)

	Traditional	Activist	Combined
New York Times	81	85	83
Public Broadcasting System	80	74	77
Newsweek	69	71	70
Time	65.	73	69
U.S. News & World Report	67	51	59
Washington Post	51	63	57
New York Review of Books	31	39	35
TV Network News	33	36	35
New Republic	23	32	28
National Review	26	23	24
Nation	21	27	24
Commentary	13	27	20
The Public Interest	21	19	20

Our aim was to obtain some idea of the information sources to which they turn in obtaining their perspective on society. The results, presented in Table 7, are quite in line with our other findings.

Both traditionalists and activists place the *New York Times* at the top of their list. The quite liberal *New York Review of Books* receives high reliability ratings from about a third of the bureaucrats, far exceeding the ratings of such conservative and "neoconservative" journals as *National Review*, *The Public Interest*, or *Commentary*. (Indeed, most bureaucrats were simply unable to rate the latter two at all.) On the other hand, both traditionals and activists see the *New York Review* as less reliable than the much more conservative *U.S. News & World Report*. Furthermore, traditional bureaucrats rate *National Review* higher than the left-wing *Nation* or the liberal *New Republic*. Interestingly, the *Washington Post* receives relatively low marks from both traditionalist and activist bureaucrats, although the former are obviously far more disenchanted with it than the latter.

Adversary Behavior without "Adversary Culture"

In sum, our findings indicate that top-level bureaucrats, including those in activist agencies, are not, on the whole, part of an "adversary culture." They come across to us as liberal and reformist, but not alienated from American society and not particularly hostile

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> In general, [top-level bureaucrats, including those in activist agencies] describe themselves as desiring to improve the system rather than to change it in fundamental ways.

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to business. In general, they describe themselves as desiring to improve the system rather than to change it in fundamental ways. Of course, it is possible that at least some of the more liberal key administrators left government or moved to nonactivist agencies following the advent of the Reagan administration. It might also be argued that more "adver-

sarial" bureaucrats are to be found among lower-echelon younger personnel who are waging a sometimes successful war against their higher-placed colleagues. However, for the top-level civil servants we interviewed, age is not an important variable. We found only slight differences in attitudes between those over and those under fifty years of age.

Given these facts, how does one account for the conviction of businessmen and conservatives that the bureaucracies of the activist agencies are hostile to the system? The liberal reformist tendencies of bureaucrats undoubtedly explain it in part. However, other factors are clearly at work, notably those outlined by Eugene Bardach and Robert A. Kagan (*Going by the Book: The Problem of Regulatory Unreasonableness*, 1982) and James Q. Wilson (*The Politics of Regulation*, 1980). As they point out, bureaucrats have many masters. They are responsible to Congress and the political leadership of the executive branch as well as to the courts and are very much influenced by public opinion (especially that of other leadership groups) as it is mirrored in or accentuated by the media. Serving these masters is a formidable task.

For example, Congress presents them with some regulatory statutes that are extremely vague, leaving room for substantial bureaucratic judgment, and others that are quite restrictive, setting ambitious goals in very specific language. The most famous example of the latter is the Delaney Amendment, which forbids *any* use of a food additive shown to be even a very weak carcinogen in laboratory animals. Similarly, the goal of the 1972 Water Pollution Control Act amendments was to eliminate *all* pollution discharges by 1982, without regard to benefits or costs.

Even where the goals are not so ambitious and specific, public interest groups can often count on the courts to support their demand for interpretations stricter than Congress may have had in mind. The Clean Air Act is a case in point. When EPA approved state implementation plans giving temporary variances from the 1975 primary air quality targets for certain pollution sources, the National Resources Defense Council sued the agency and won.

Rather than being bold adventurers who seek to build empires or rigid ideologues who

wish to harass the business community, administrators are more likely to err on the side of caution, as Bardach-Kagan and Wilson point out. They may want to increase the size of their division or department, but not at great risk. For them, the fear that an approved substance may turn out to harm a few individuals has far more impact, because of the way the media tend to report such issues, than the loss of possible widespread benefits from less rigid regulations. This is where appropriate leaks to the press by more ideologically committed colleagues can play an important role. Pity the bureaucrat who is charged with having "sold out" to business when all he or she did was to write a rule that sought to balance estimated costs and benefits.

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The evidence we gathered would seem to support the argument that much of the "unreasonable" behavior of activist bureaucrats is defensively rather than ideologically motivated. This would explain their perception of the media's power and their hostility to journalists.

It is true that activist bureaucrats overwhelmingly approve of Ralph Nader. But that approval is not quite as strong as it might seem. In evaluating individuals or social movements, respondents could choose one of five categories, ranging from strong disapproval through strong approval. Only 20 percent of our activist bureaucrats strongly approve of Ralph Nader. In comparison, 25 percent strongly approve of Margaret Thatcher.

Aside from liberal ideology and defensive posture, there are other factors that help explain the behavior of bureaucrats in the newer health and safety agencies. Different regulatory agencies attract different kinds of experts. For example, administrators with backgrounds in public health gravitate toward EPA and the FDA, while the Occupational Safety and Health Administration attracts those trained in safety

design. The professional norms of health experts emphasize extreme caution in dealing with potential toxic substances, and safety experts are likely to choose expensive engineering solutions for industrial safety problems rather than solutions that stress worker education, health screening, or the use of personal protection devices (such as industrial earmuffs in noisy areas). While neither group of bureaucrats is hostile to business, both are less concerned with cost-benefit analyses than are, say, economists.

Another factor, of course, is the increased litigiousness of our society and the growing role for lawyers within government, which encourages the proliferation of formal—sometimes rigid—rules at the expense of more flexible enforcement. Finally, above and beyond all this, Americans now are more aware of possible environmental dangers than they were several decades ago and more confident that government can eradicate these dangers without seriously lowering living standards. While this confidence has been abetted (sometimes unwittingly) by the media, it has deeper roots and can easily lead to overreaction when a problem is discerned.

While our data indicate that activist bureaucrats are more liberal than the general run of high-level civil servants, we would not conclude that they necessarily affirm the more extreme policies to which businesses and regulatory reformers object. They are struggling to implement a broad range of new activities, mandated by Congress and often promoted by articulate segments of the population, at a time when faith in business and government is low. It is not surprising that they are attacked by those they supposedly protect for being too lenient (or even corrupt) and by those they regulate for being hostile or irrational.

Thus the adversary character of many agencies is, as Wilson and Bardach-Kagan conclude, not primarily a function of a new breed of bureaucrats. Rather it reflects important changes in American culture as well as in American social structure, including broad shifts in the patterns of power and influence that characterize the society. While bureaucratic reforms might mitigate some of the worst aspects of "bureaucratic unreasonableness," the present pattern is unlikely to change, unless America itself changes once again. ∎